IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.8182 OF 2005

Nasik Mahanagarpalika Kamgar ...Petitioners

Vs.

Nasik Municipal Corporation & Ors. ...Respondents

Mr. Bhavesh Parmar Adv. for Petitioners

Mr. R.V. More Adv. for Respfondent No.1

CORAM: F.I.REBELLO & ROSHAN DALVI, JJ.
DATED: 30TH NOVEMBER , 2005

P.C.

. Rule.

2. In view of the order to be passed, notice to Respondent No.3 dispensed with.

3. The Petitioners are contract workers working with the Contractor whose contract expires today. Respondent No.1 has been entering into the contracts from time to time. The limited relief that the Petitioners seek is that the Respondent No.1 should make seniority list of the contract workers and the contract workers should be given job by the Contractor who is given contract by Respondent No.1.

4. Considering the controversy the Petition is disposed of by issuing following directions.

1. The Assistant Labour Commissioner, Nasik to get prepared appropriate list of contract workers within a period of not less than 4 weeks from today and to fix their seniority in terms of the dates on which they first joined.

2. The Respondent No.1 on giving contract to request the Contractor to take the contract workers in terms of seniority list prepared by the Asstt. Labour Commissioner maintained by Respondent No.1.

3. The Contractor firstly to employ such workers from the list subject to their seniority.

4. Needless is to say that the employer, contractor will have full right to exercise necessary control on the workmen to engage and to carry out the contract.

5. Rule is made absolute accordingly. No order as to costs.

6. The Assistant Labour Commissioner, Nasik to comply with this order on copy of this order being supplied to him and the

period will commence from the service of the copy of the order.

. All parties to act on the authenticated copy of this order.

(F.I.REBELLO J.)

(ROSHAN DALVI, J.)